

BOARD OF SUPERVISORS COUNTY OF TUOLUMNE

September 4, 2012

9:00 a.m.

The Board of Supervisors of the County of Tuolumne, State of California, met in regular session on the foregoing date with Supervisors: Richard H. Pland, Chair; Randy Hanvelt, Vice Chair; and Elizabeth Bass being present. Also present were County Administrator Craig L. Pedro; Carlyn Drivdahl, Deputy County Counsel; and Alicia L. Jamar, Chief Deputy Clerk of the Board.

Absent: Supervisors Evan Royce and John Gray.

Supervisor Elizabeth Bass, led the Pledge of Allegiance.

Oral Comm-
CDBG

Terry Cox, Cox Consulting, Inc., addressed the Board and reported on the status of the Community Development Block Grant (CDBG) application.

Oral Comm-
TUD

Bob Ede, Tuolumne Utilities District (TUD), addressed the Board and thanked TUD water customers on water conservation.

Oral Comm-
Air Pollution

Vicki Helmar Agricultural Commissioner/Air Pollution Control Officer/Animal Control Director, addressed the Board on reported on the status of the ozone standards in Tuolumne County.

Oral Comm-
Quorum

Carlyn Drivdahl, Deputy County Counsel, addressed the Board on the rules of a quorum.

Consent Calendar

On motion of Supervisor Bass, seconded by Supervisor Hanvelt, the following items on the Consent Calendar were approved by 3-0 vote with Supervisors Royce and Gray being absent.

Minutes

1. Minutes of the meetings held on August 7, 2012 and August 14, 2012.

Auditor-TC Tax
Rates Gov. Code
§29100

2. Resolution No. 54-12, adopting the 2012/13 Tuolumne County Tax Rates pursuant to Government Code §29100.

Reso-Conflict of
Interest Code

3. Resolution No. 55-12, rescinding Resolution No. 142-02 and adopting the Conflict of Interest Code for County and local governmental agencies.

Agree-Sheriff and
City of Sonora

4. Approving the Indemnification Agreement for requested assistance and resources between the Tuolumne County Sheriff's Office and the City of Sonora, authorizing the Chair to sign.

Amend Conflict
of Interest-TC
Sup of Schools
and Assessor-
Recorder

5. Approving the Amendment to the Conflict of Interest Code for the Tuolumne County Superintendent of Schools and the Tuolumne County Assessor-Recorder.

TCYC-Resig.

6. Accepting the resignation of Mari Brabbin from the Tuolumne County Youth Commission and directing the Clerk of the Board of Supervisors to send a letter of appreciation.

TCYC-Appt of
Alternate

7. Approving the appointment of Alexis Ketchem as an alternate to the Tuolumne County Youth Commission for a term to expire June 30, 2014.

Proclamation-
Childhood Cancer
Awareness Mo.

The Board considered proclaiming September 2012 as Childhood Cancer Awareness month in Tuolumne County.

On motion of Supervisor Hanvelt, seconded by Supervisor Bass, the following resolution was adopted by 3-0 vote with Supervisors Royce and Gray being absent.

Resolution No. 56-12

Proclaiming September 2012 as Childhood Cancer Awareness month in Tuolumne County.

County Service
Awards

Ann E. Connolly, Human Service Agency Director, addressed the Board and gave a presentation of a County Service Award to an employee from the Veterans Services Department and presented the service award to Beth Barnes for 35 years of service.

Ms. Barnes thanked the Board.

Certificate of
Recognition-
TC Celebration in
Arts

The Board considered approving a Certificate of Recognition for Julian Divine, a Senior at Sonora High School for winning the Tuolumne County Celebration on the Arts in Schools student exhibit and responded to questions from the Board.

It was moved by Supervisor Hanvelt, seconded by Supervisor Bass, and carried by 3-0 vote with Supervisors Royce and Gray being absent, to approve the Certificate of Recognition for Julian Divine, a Senior at Sonora High School for winning the Tuolumne County Celebration on the Arts in Schools student exhibit.

Connie O'Connor and Louise McPeters of the Central Sierra Art's Council, addressed the Board on the arts in Tuolumne County and announced the artwork will be displayed on the 4th floor of the Administration Building.

Julian Divine addressed the Board.

The Chair presented the Certificate of Recognition to Mr. Divine.

Public hearing was declared open to consider adopting all budget actions contained in the Fiscal Year 2012/13 budget document, including: **1)** the appropriation limit computation method; **2)** the Fiscal Year 2012/13 adopted Budget Resolution; and **3)** all personnel recommendations.

Mr. Pedro presented the staff report.

Deborah Russell, County Clerk and Auditor-Controller, responded to questions from the Board.

Discussion ensued.

Kathy Fascilla addressed the Board.

Ms. Russell responded to questions from the Board on the State sales tax and vehicle license fees.

No one else wished to speak, the public hearing was declared closed.

Mr. Pedro addressed the Board and requested the matter be continued to later in the day.

The Chair continued the matter to later in the day.

Memorandum of
Agreement with
RCRC and CSAC
and BLM

Mr. Pedro requested consideration of adopting the tenants of the Memorandum of Agreement (MOA) between the Rural Council of Rural Counties (RCRC), California State Association of Counties (CSAC), United States Forest Service (USFS) and Bureau of Land Management (BLM), invoking the terms of the MOA with the Stanislaus National Forest and BLM - Mother Lode Field Office and designating the County Administrator as the County's point of contact with both federal agencies.

Mark Luster of Sierra Pacific Industries (SPI), addressed the Board.

On motion of Supervisor Hanvelt, seconded by Supervisor Bass, the following resolutions were adopted by 3-0 vote with Supervisors Royce and Gray being absent.

Resolution No. 57-12

Adopting the Memorandum of Agreement (MOA) between the Rural Council of Rural Counties (RCRC), California State Association of Counties (CSAC), United States Forest Service (USFS) and Bureau of Land Management (BLM), invoking the terms of the MOA with the **Stanislaus National Forest** and designating the County Administrator as the County's point of contact with both federal agencies.

Resolution No. 58-12

Adopting Memorandum of Agreement (MOA) between the Rural Council of Rural Counties (RCRC), California State Association of Counties (CSAC), United States Forest Service (USFS) and Bureau of Land Management (BLM), invoking the terms of the MOA with and **BLM - Mother Lode Field Office**, designating the County Administrator as the County's point of contact with both federal agencies.

The Board recessed at 10:12 a.m. and reconvened at 10:25 a.m.

Agree- w/Dodge
Ridge Re: Dodge
Ridge Rd.

Beverly Shane, Community Resource Agency Director, requested consideration of approving a Cooperative Agreement with the Dodge Ridge Corporation to transfer road maintenance responsibility of a portion of Dodge Ridge Road, authorizing the submittal of an application to the United States Forest Service to modify the County's 1971 Easement and Special Use Permit relative to maintenance of Dodge Ridge Road.

Sally Helm addressed the Board.

It was moved by Supervisor Hanvelt, seconded by Supervisor Bass, and carried by 3-0 vote with Supervisors Royce and Gray being absent, to approve a Cooperative Agreement with the Dodge Ridge Corporation to transfer road maintenance responsibility of a portion of Dodge Ridge Road, authorizing the submittal of an application to the United States Forest Service to modify the County's 1971 Easement and Special Use Permit relative to maintenance of Dodge Ridge Road; and authorizing the Community Resources Agency Director to implement the provisions of the Cooperative Agreement, authorizing the Chair to sign.

Litigation-
Settlement Agree
City of Riverside
vs. TC and
Friends of ML vs.
TC

Ms. Drivdahl requested consideration of approving a Settlement Agreement in the matters of City of Riverbank v. County of Tuolumne et al., Sacramento County Superior Court Case No. 34-2011-80000950 and Friends of the Mother Lode et al. v. County of Tuolumne et al., Stanislaus County Superior Court Case No. 663497 regarding the Cooperstown Quarry project and responded to questions from the Board.

John Buckley of Central Sierra Environmental Resource Center, addressed the Board.

Discussion ensued.

On motion of Supervisor Bass, seconded by Supervisor Hanvelt, the following resolution was adopted by 3-0 vote with Supervisors Royce and Gray being absent.

Resolution No. 59-12

Approving a Settlement Agreement in the matters of City of Riverbank v. County of Tuolumne et al., Sacramento County Superior Court Case No. 34-2011-80000950 and Friends of the Mother Lode et al. v. County of Tuolumne et al., Stanislaus County Superior Court Case No. 663497 regarding the Cooperstown Quarry project, authorizing the Chair to sign.

Reports- Hanvelt

Supervisor Hanvelt reported that on August 22, 2012, he attended the Sustainable Action Forest meeting in Sacramento, attending a meeting with Assembly Member Kristin Olsen; attended a meeting with Senator Berryhill's staff, and met with County Staff; on August 23rd he attended the Tuolumne County Visitor's Bureau; on August 24th he attended a meeting with constituents, attending a meeting with Gary Mello, attended a Tuolumne County Visitors Bureau Board meeting; on August 27th he attended the Mother Lode Job Training meeting; on August 28th, he attended a meeting with constituents and attended a meeting with County staff; on August 29th, he met with Larry Cope, Economic Development Director and attended a reunion in Livermore; and on August 30th, he attended a meeting with constituents and attended a meeting with Joe Silva, County Superintendent of Schools and attended a meeting with Mr. Cope.

Reports-Pland

Supervisor Pland reported that on August 25, 2012, he attended the Rail Town Meals on Wheels Fund Raiser; on August 28th, he attended the Highway 108 Safety Coordinator meeting; and reported on the status legislation.

Closed Session

The Board recessed at 10: 50 a.m., to Closed Session **1) Conference with Legal Counsel - Existing Litigation** (Authority: Government Code §54956.9(a)) - Residents of Quail Ridge Ranch v. County of Tuolumne, et al., Tuolumne County Superior Court Case Number CV56944; and **2) Conference with Labor Negotiators:** Craig Pedro, County Administrator, and Bill Morse, Human Resources/Risk Manager, (Authority: Government Code §54957.6) In-Home Support Services Bargaining Unit, reconvening at 11:15 a.m., the Chair announced there was nothing to report.

(Cont'd)
TC Budget
2012/13

The Board continued consideration of adopting all budget actions contained in the Fiscal Year 2012/13 budget document, including: **1)** the appropriation limit computation method; **2)** the Fiscal Year 2012/13 adopted Budget Resolution; and **3)** all personnel recommendations.

Mr. Pedro gave an updated presented the staff report.

Ms. Russell addressed the Board.

It was moved by Supervisor Hanvelt, seconded by Supervisor Bass, and carried by 3-0 vote with Supervisors Royce and Gray being absent, to approve the

appropriation limit computation method, selecting option number 2, the surrounding counties' population increase times the per capital increase times the 2011-12 limits, $1.0035 \times 1.0377 \times \$111,755,512 =$ of \$116,374,585.

Daniel Richardson, Deputy County Administrator, addressed the Board.

It was moved by Supervisor Hanvelt, seconded by Supervisor Bass, and carried by 3-0 vote with Supervisors Royce and Gray being absent to adopt the following Resolution.

Resolution No. 60-12

Adoption of the Tuolumne County Fiscal Year 2012/13 Final Budget.

Mr. Pedro addressed the Board.

It was moved by Supervisor Bass, seconded by Supervisor Hanvelt, and carried by 3-0 vote with Supervisors Royce and Gray being absent to approve the amended Fiscal Year 2012/13 Final Budget and amended personnel changes.

The Chair adjourned the meeting at 11:31 a.m., to the next regular meeting scheduled for September 18, 2012, at 9:00 a.m.

APPROVED:



RICHARD H. PLAND, CHAIR

ATTEST:



Alicia L. Jamar, Chief Deputy
Clerk of the Board of Supervisors

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

ALICIA L. JAMAR
Clerk of the Board

By: 

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